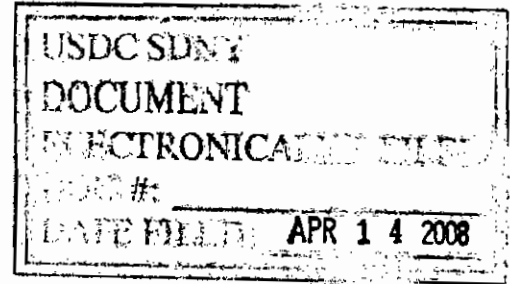


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April 11, 2008

VIA FACSIMILE TO 212-805-0426

The Honorable Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

**RE: Abrams v. Excel
07 CV 7864 (LTS)**

Dear Judge Swain:

I represent the plaintiff in the above matter. I apologize as I meant to write a letter either yesterday or Wednesday. I would like to give the matter a little more consideration as to whether it is worth filing a default application or just dismissing the matter. That is the status at this point as the defendant was served but I understand the acceptance of service was very contentious, and the process server was told that this corporation no longer does business.

Thank you for the Court's consideration of the foregoing.

Yours faithfully,

Adam J. Fishbein

The conference is
adjourned to
May 16, 2008 at
11 AM.

SO ORDERED.

4/14/2008
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE